

VRP:llk
File No. 2002A99444

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA,

Plaintiff

v.

TIMOTHY J. HAYES, M.D.,

Defendant

and

THE WYANOKE GROUP
6900 Grove Road
Thorofare, NJ 08086-9447,

Garnishee

MISCELLANEOUS NO. 02-MC-141

FILED
JUN 20 2008
MICHAEL E. KUNZ, Clerk
By [Signature] Dep. Clerk

ANSWER OF THE GARNISHEE

Denise Menley, hereby certifies that:
(Affiant)

IF GARNISHEE IS AN INDIVIDUAL:

That he/she is Garnishee herein doing business in the name of _____

(State full name and address of business)

IF GARNISHEE IS A PARTNERSHIP:

That he/she is a member _____ of a partnership composed of which

Garnishee is a partner.

IF GARNISHEE IS A CORPORATION:

That he/she is the (State Official Title) Senior Vice President of Garnishee, The Wyandale Group a corporation, organized under the laws of the State of New Jersey (March, 2007)

On June 4th, 2008, Garnishee was served with the Writ of Continuing Garnishment. For the pay period in effect on the date of service (shown above):

Yes No

☒

1. Defendant is in my/our employment.

2. Pay period is _____ weekly, ☒ bi-weekly

_____ semi-monthly, _____ monthly.

Enter date present pay period began.

(Present means the pay period in which this order and notice of garnishment were served) DATE: _____

3. Enter amount of net wages. Calculate below:

(a) Gross Pay	\$ <u>9231.00</u>
(b) Federal income tax	\$ <u>1918.47</u>
© F.I.C.A. income tax	\$ <u>553.67 - SS&C</u>
	\$ <u>129.48 - M&R</u>
	\$ <u>335.54</u>
(d) State income tax	\$ <u>273.09</u>
<u>Hospitalization</u>	
<u>Loan - Child Support</u>	\$ <u>362.24</u>
(e) City/local income tax	\$ _____
<u>Loan - Company loan</u>	\$ <u>750.00</u>
Total of tax withholdings	\$ <u>2874.41</u>
Net Wages	\$ <u>4908.51</u>
(a less total of b,c,d,e)	

YES NO

X 4. Have there been previous garnishments in effect? If the answers is yes, describe below. IRS- biweekly amount \$569.07 started in April 6, 2007 - Levy Released Dec 18, 2007.

The Garnishee has custody, control or possession of the following property (non-earnings), in which the Defendant maintains an interest, as described below:

<u>Description of Property</u>	<u>Approximate Value</u>	<u>Description of Defendant's Interest in Property</u>
1. _____	_____	_____
2. _____	_____	_____
3. _____	_____	_____
4. _____	_____	_____

Garnishee anticipates owing to the judgment-defendant in the future, the following amounts:

<u>Amount</u>	<u>Estimate date or Period Due</u>
1. \$ _____	_____
2. \$ _____	_____
3. \$ _____	_____
4. \$ _____	_____

Check the applicable line below if you deny that you hold property subject to this order of garnishment.

_____ The Garnishee makes the following claim of exemption on the part of Defendant: _____

VRP:llk

TO: THE WYANOKE GROUP
6900 Grove Road
Thorofare, NJ 08086-9447

INSTRUCTIONS TO THE GARNISHEE

Attached is a Writ of Continuing Garnishment requesting that you determine whether or not you have in your possession, custody or control any of the property of the defendant listed therein, or any other property to the defendant as set forth in the writ. **You are required by law to serve a written answer to this writ within 10 days of your receipt.** Upon your receipt of the forthcoming garnishment order, you will be required to withhold and retain any property in which the defendant has a substantial non-exempt interest. The amount to be withheld will be stated in said order.

IF YOU FAIL TO ANSWER THIS WRIT OR TO WITHHOLD PROPERTY IN ACCORDANCE WITH THE WRIT, THE COURT MAY MAKE YOU LIABLE FOR THAT AMOUNT OF THE DEFENDANT'S NON-EXEMPT PROPERTY WHICH YOU FAILED TO WITHHOLD. ADDITIONALLY, YOU MAY BE HELD LIABLE FOR A REASONABLE ATTORNEY'S FEE TO THE UNITED STATES OF AMERICA IF THE UNITED STATES FILES A PETITION TO THE COURT REQUESTING AN EXPLANATION FOR YOUR FAILURE TO COMPLY WITH THIS WRIT.

If you have any additional questions, please call the United States Attorney's Office, Levain L. Kelly, Financial Litigation Agent at (215) 861-8560 or by mail to: The United States Attorney's Office, 615 Chestnut Street, Suite 1250, Philadelphia, Pennsylvania 19106-4476.

CERTIFICATION OF SERVICE OF GARNISHEE

I, Wyandke Group, Garnishee, certify that a copy of the foregoing Answer of Garnishee was served by first-class mail to (1) the Defendant, (please give name and address):

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and (2) the United States Attorney's Office at; 615 Chestnut Street. Suite 1250, Philadelphia, Pennsylvania 19106-4476, ATTN: Financial Litigation Unit and (3) the Original mailed to Clerk, U.S. District Court, 2609 U.S. Courthouse, 601 Market Street, 2nd Floor, Philadelphia, Pennsylvania 19106.

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT, EXECUTED THE 18th DAY OF June, 2008.

[Signature]
Garnishee

____ Or has the following objections, defenses, or set-offs to Plaintiff's right to apply

Garnishee's indebtedness to Defendant upon Plaintiff's claim: _____

____ The Garnishee has in no manner and upon no account been indebted or under liability to the Defendant, **TIMOTHY J. HAYES, M.D.**, and that the Garnishee has not possessed or control any property belonging to the Defendant.

ATTACHMENT TO ANSWER OF GARNISHEE

The Original Answer must be mailed to:

Clerk, United States District Court
2609 U.S. Courthouse
2nd Floor
601 Market Street
Philadelphia, Pennsylvania 19106

and a copy of this Answer to:

United States Attorney's Office
615 Chestnut Street
Suite 1250
Philadelphia, Pennsylvania 19106-4476

and a copy of this Answer to the Defendant:

Timothy J. Hayes, M. D.
500 E. Lancaster, Apt#: 137A
Wayne, PA 19087